

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

CARLOS OMAR CORIANO-TORRES,

Plaintiff

v.

MYRNA ESTHER TORRES-TORRES,
et al.,

Defendants

CIVIL NO. 08-1661 (JP)

OPINION AND ORDER

Before the Court is a motion (No. 1) filed by Plaintiff Carlos Omar Coriano-Torres ("Coriano") wherein he claims indigence and requests leave to proceed *in forma pauperis* under 28 U.S.C. Section 1915(a). The motion to proceed *in forma pauperis* was filed on the same date as the instant complaint (No. 2).

When a plaintiff seeks to proceed *in forma pauperis* pursuant to 28 U.S.C. Section 1915(a), a court may dismiss the plaintiff's case at any time if satisfied that it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915(e). A claim is frivolous within the meaning of Section 1915(d) if it is "based on an indisputably meritless legal theory," lacking "even an arguable basis in law." Neitzke v. Williams, 490 U.S. 319, 327 (1989) (explaining that *sua sponte* dismissal under 28 U.S.C. Section 1915 is warranted only if a

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complaint is "based on an indisputably meritless legal theory" or is "clearly baseless"). See González-González v. U.S.A., 257 F.3d 31 (1st Cir. 2001).

Even after closely analyzing the complaint, Plaintiff Coriano's allegations are nearly impossible to discern. The Court understands Plaintiff Coriano's grievance to concern the actions of his mother, who allegedly tried to murder him. He also makes vague references to experiments with a telephone number, and a communication to the periodical El Nuevo Día. Plaintiff is currently in custody at the Ponce Psychiatric Hospital, and he seems to allege that his hospitalization was a result of a white-collar conspiracy and terrorist attack. Finally, Plaintiff Coriano suggests that state authorities somehow mishandled a case involving Plaintiff.

From these allegations, the Court cannot hold as a matter of law that Plaintiff Coriano has brought forth a federal claim upon which relief can be granted. The Court holds that Plaintiff's complaint is frivolous under the standard set forth above. Accordingly, the Court will enter a separate judgment dismissing with prejudice Plaintiff Coriano's complaint.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 13th day of March, 2009.

s/Jaime Pieras, Jr.
JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE